

LYN14,5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN GENERAL LIFE
INSURANCE COMPANY,

Plaintiff/Stakeholder,

- against -

THE COSTANTINO PRESTA IRREVOCABLE
TRUST; MARK SEELIG, EUGENIO PRESTA,
NICOLA PRESTA, AS TRUSTEES OF THE
COSTANTINO PRESTA IRREVOCABLE
TRUST; HSBC BANK USA, NATIONAL
ASSOCIATION;

Defendants/Claimants:

Case No. 07-CIV-3136 (GEL)

Stipulation of Discontinuance
With Prejudice

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DATE FILED: 11/2/07

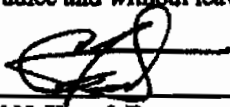
The parties hereby stipulate and agree that, this matter having come before the Court on Plaintiff American General Life Insurance Company's Complaint for declaratory judgment and interpleader regarding American General life insurance policies numbered YH00564730 and A70010845L (the "Policies");

1. All parties are represented by independent counsel and each had a full and fair opportunity to be heard;
2. All parties deny any and all liability and/or wrongdoing;
3. Defendants do not oppose the relief sought by American General in its Complaint;
4. The Policies at issue in this action are void *ab initio* and rescinded;
5. All Defendants, their agents, attorneys, representatives, heirs, executors, assigns, and all persons claiming through or under them, are hereby permanently enjoined from instituting or pursuing any action in any court or forum for the recovery of any proceeds or benefits

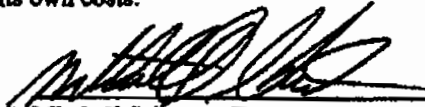
whatsoever under the Policies or relating in any way to American General's actions with respect to the handling of the Policies;

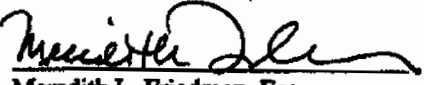
6. American General is hereby discharged from all further liability under or relating to the Policies in accordance with the Confidential Settlement Agreement and General Release as to The Costantino Presta Irrevocable Trust and its Trustees dated August 21, 2007, and as to HSBC Bank USA, National Association dated September 20, 2007; and

7. The Complaint in this action filed by American General is hereby dismissed with prejudice and without leave to renew, each party to bear its own costs.

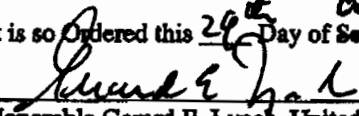

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—and—

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It is so Ordered this 29th ^{October} Day of ~~September~~, 2007


Honorable Gerard E. Lynch, United States District Judge
Southern District of New York